

**REMARKS**

Reconsideration and withdrawal of all grounds of rejection are respectfully requested in light of the above amendments and the following remarks. Claims 1-2 and 5-6 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Davis Jr. et al. (U.S. Patent No. 5,839,000) in view of Yamaguchi et al. (U.S. Patent No. 5,912,721). Claim 7 stands rejected under 35 U.S.C. §103(a) as allegedly being obvious over Davis in view of Yamaguchi et al. in further view of Saruwatari (U.S. Patent No. 5,912,705). Claims 8-9 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Davis in view of Yamaguchi et al. and in further view of Lyons et al. (U.S. Patent No. 6,411,209). Claims 5, 7-9 without prejudice. Claims 1-2 and 6 are pending herein.

It is respectfully submitted that none of the instant claims, as amended, are anticipated, or would they have been obvious to an artisan, at least for reasons given hereinbelow.

Amended independent claim 1 is directed to a device for remotely controlling a camera having a lens, said device comprising: a monitor operable to display a field of view of the lens, the field of view including images of a plurality of objects; a processor configured to determine a first image of the images of

the plurality of objects that is being gazed upon by a viewer by generating an image of the viewer's face, use a pattern recognition technique on the image of the viewer's face to determine an orientation of the pupils of the viewer's eyes wherein a recognition of a outer corner of either eye is used as a reference to determine an orientation of the pupils of the viewer's eyes, use a non-parametric model for background subtraction to extract the first image; and a touch screen operable to provide one or more signals indicative of a viewer pointing on the touch screen in a direction of the first image for selectively adjusting a zoom and a focus of the lens in a direction of the first image.

Applicants respectfully submit Davis Jr. et al., Yamaguchi et al., Saruwatari, and Lyons et al., alone or in combination, fail to teach, show or imply all of the limitation of the present invention.

Further, Applicants respectfully submit that there would have been no motivation for one of ordinary skill to attempt to such a modification, without improper hindsight by "use[ing] the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention," see *In Re Denis Rouffet*, 47 USPQ.2d 1453, 1457-58 (Fed. Cir. 1998). Although, Davis Jr. et al., Yamaguchi et al., Saruwatari, and Lyons et al solve particular problems, and no motivation has been provided by the Office Action to show reasons that the skilled artisan, confronted with the same problems as the

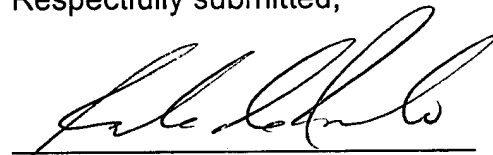
inventor would select the elements from the cited prior art references for combination in the manner claimed, see *Id.*

Accordingly, Applicants submit amended independent claim 1 is patentable under 35 U.S.C 103.

All claims dependent the independent claims discussed above are believed to be allowable at least for dependency there from, and for separate reasons of patentability.

The applicants have made a sincere attempt to advance the prosecution of this application by reducing the issues for consideration and specifically delineating the zone of patentability. The applicants submit that the claims, as they now stand, fully satisfy the requirements of 35 U.S.C. 103. In view of the foregoing amendments and remarks, favorable reconsideration and early passage to issue of the present application are respectfully solicited.

Respectfully submitted,



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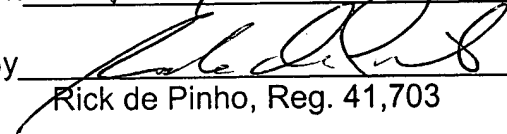
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On July 15, 2004

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